



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

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BY ECF

Hon. Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Vasquez*, 15 Cr. 624 (VEC)—VOSR Scheduling

Dear Judge Caproni:

I write regarding the above-captioned VOSR proceeding to request a conference in May, or at some point after the current public health crisis has receded.

The defendant, Juan Vasquez, pleaded guilty to one count of failing to register as a sex offender on October 23, 2015. Dkt. 13. On March 23, 2016, the Court sentenced the defendant to time served plus two weeks, and five years of supervised release. Dkt. 27.

On October 13, 2016, the defendant pleaded guilty to two VOSR specifications: committing petit larceny and failure to abide by the rules of his halfway house. On November 15, 2016, the defendant pleaded guilty to a third VOSR specification, drug use (together with the prior two specifications the “Pleaded-To Violations”). Sentencing on the Pleaded-To Violations was adjourned several times so that the defendant could seek treatment.

On September 16, 2017, the defendant was arrested for an attempted rape, and he was later indicted on that charge by a New York state grand jury (the “State Case”). 03517/2017. On September 19, 2017, the Probation Department violated the defendant based on the State Case and other specifications (the “Pending Violations”). The September 19, 2017 violation report is the most recent one filed with the Court.

On January 24, 2018, the Court ordered that sentencing on the Pleaded-To Violations be adjourned until the resolution of the State Case. Dkt. 55. There are no further entries on the docket, and so it appears as if the January 24 order also adjourned any further proceedings on the Pending Violations.¹

The defendant was convicted in the State Case on September 20, 2019, and sentenced primarily to 15 years’ imprisonment on December 17, 2019. The defendant has appealed his

¹ The defendant has not yet been arraigned on the Pending Violations.

sentence, and the Government understands from defense counsel that the appeal should conclude in approximately 18 months.

The Government requests that the Court set a conference date to discuss next steps on the Pending Violations. Given the current public health crisis, the Government asks that the conference date be set for some time in May.

The defendant is currently incarcerated in state prison. He has informed his attorney that he does not need to be present at any conference, but would of course need to be present at a sentencing. The Government therefore proposes that the requested conference not include sentencing on the Plead-To Violations, but if the Court has a different preference, the Government will writ the defendant into federal custody before the conference.

Respectfully Submitted,

GEOFFREY S. BERMAN
United States Attorney

by: /s/ Kevin Mead
Kevin Mead
Assistant United States Attorney
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CC: Sarah Kunstler, Counsel for Juan Vasquez (by ECF)

Application GRANTED. A conference is schedule for **May 13, 2020, at 2:30 p.m.** The Court notes that Defendant's attendance is not required.

SO ORDERED.

 3/13/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE